



AGENDA

**CITY OF RIVIERA BEACH
CODE COMPLIANCE DIVISION
SPECIAL MAGISTRATE HEARING**

MAY 22, 2024

AT 11:00AM

**RIVIERA BEACH MARINA EVENT CENTER
CITY OF RIVIERA BEACH**

**COREY M. SMITH, ESQ.
SPECIAL MAGISTRATE**

SPECIAL MAGISTRATE

MONTHLY MEETING AT 11:00A.M.

DATE: WEDNESDAY, MAY 22, 2024

**ROLL CALL: COREY M. SMITH, ESQ
SPECIAL MAGISTRATE**

SPECIAL MAGISTRATE'S STATEMENT

Good morning,

Today is Wednesday, May 22, 2024. This code compliance hearing is called pursuant to Chapter 162, Part 1, Florida Statutes. My Name is **Corey M. Smith** and I am the special magistrate appointed by the City of Riviera Beach to act as impartial hearing officer for the City's code compliance cases.

If you have been cited with a code violation, today's hearing will be conducted pursuant to the procedure set forth in Chapter 162, Florida Statutes. Strict rules of evidence do not apply; however, fundamental due process will be observed at all times. When your case is called, please come forward. The city will present its case first and you will be given the chance to review the City's evidence and to cross-examine any City witnesses. Once the City has presented its case, that will be your opportunity to present any testimony and evidence you may have regarding the cited violation. The City will be allowed to review your evidence and cross-examine any of your witnesses. All testimony is required to be under oath and you will be sworn in shortly. The City has the burden of proving its case in this matter by a preponderance of the evidence. Once all evidence and testimony has been presented, I will make an oral ruling. My oral ruling will be documented in a written order which you will receive by mail.

If I find you in violation of the City's code and you fail to correct the violation, you may be fined up to \$250 per day per violation for a first violation and up to \$500 per day for a repeat violation. If the nature of the violation is irreparable or irreversible, you may face a fine of up to

\$5,000.00. If I find that you are a repeat violator, an administrative charge will be assessed against you which is payable in 30 days or will be included in any lien authorized under Chapter 162, Florida Statutes.

If you disagree with my ruling, you have the right to appeal my ruling to the Circuit Court within 30 days.

Please be advised that all testimony provided today is being recorded as required by Chapter 162, Florida Statutes.

If you have a cell phone, please turn off your cell phone or place it on vibrate. Please remain quiet if you are in the audience waiting for your case to be called.

Before we call the first case, let us stand for the pledge of allegiance.

Now, I will swear in all persons desiring to provide testimony to me today.

Thanks!

SPECIAL MAGISTRATE HEARING

THURSDAY, MAY 22, 2024 AT 11:00 A.M.

CALL TO ORDER:

CONSIDERATION OF RESCHEDULED CASES:

HEARING OF CASES BEFORE THE SPECIAL MAGISTRATE:

----- Darlene Henry -----

COMPLIED - MUST REMAIN

- | | | |
|-----------|---|--|
| 1. | CASE #ECC-24-00284
5101 N OCEAN DR
RIVIERA BEACH, FL 33404 | LOZMAN FANE
2913 AVENUE F
RIVIERA BEACH, FL 33404
CODE OFFICER: DARLENE HENRY |
| | CODE SECTION: 105.1 | PERMIT REQUIRED |
| | CODE SECTION: SEC.23-84(1) | PROHIBITED WITHIN WETLAND
AREAS |
-

CON'T

- | | | |
|-----------|--|--|
| 2. | CASE #ECC-22-00069
19 E 22 nd CT
RIVIERA BEACH, FL 33404 | RBV, LLC
14785 PRESTON
DALLAS, TX 75254
CODE OFFICER: DARLENE HENRY |
| | CODE SECTION: 105.1 (FBC) | PERMIT REQUIRED |
| | CODE SECTION: 110.1 | INSPECTION REQUIRED |
| | CODE SECTION: 302.7.1 | STORAGE/SHIPPING CONTAINERS |

CONT'D

3. **CASE #ECC-22-00071**
43 E 22ND CT
RIVIERA BEACH, FL 33404

RBY, LLC
14785 PRESTON
DALLAS, TX 75254
CODE OFFICER: DARLENE HENRY

CODE SECTION: 105.1

PERMIT REQUIRED

CODE SECTION: 110.1

INSPECTION REQUIRED

CONT'D

4. **CASE #ECC-22-00072**
56 E 22ND ST
RIVIERA BEACH, FL 33404

RBY, LLC
14785 PERSTON
DALLAS, TX 75254
CODE OFFICER: DARLENE HENRY

CODE SECTION: 105.1

PERMIT REQUIRED

CODE SECTION: 110.1

INSPECTION REQUIRED

CONT'D

5. **CASE ECC#-22-00073**
43 E 22ND ST
RIVIERA BEACH, FL 33404

RBY, LLC
14785 PRESTON
DALLAS, TX 75254
CODE OFFICER: DARLENE HENRY

CODE SECTION: 105.1

PERMIT REQUIRED

CODE SECTION: 110. 1

INSPECTION REQUIRED

CODE SECTION:302.7.1

STORAGE/SHIPPING CONTAINERS

CONT'D

6. **CASE ECC#-22-00074**
2101 AVENUE C
RIVIERA BEACH FL, 33404

RBY, LLC
14785 PRESTON
DALLAS, TX 75254
CODE OFFICER: DARLENE HENRY

CODE SECTION: 105.1

PERMIT REQUIRED

CODE SECTION: 110. 1

INSPECTION REQUIRED

CODE SECTION:302.7.1

STORAGE/SHIPPING CONTAINERS

CONT'D

7. **CASE ECC#-22-00075**
103 E 22ND CT
RIVIERA BEACH FL, 33404

RBY, LLC
14785 PRESTON
DALLAS, TX 75254
CODE OFFICER: DARLENE HENRY

CODE SECTION: 105.1

PERMIT REQUIRED

CODE SECTION: 110.1

INSPECTION REQUIRED

CONT'D

8. **CASE ECC#-22-00078**
133 E 22ND CT
RIVIERA BEACH, FL 33404

RBY, LLC
14785 PRESTON
DALLAS, TX 75254
CODE OFFICER: DARLENE HENRY

CODE SECTION: 104.6.2

WORKING COMMENCING BEFORE
PERMIT ISSUANCE

CONT'D

9. **CASE ECC#-22-00079**
148 E 22ND ST
RIVIERA BEACH, FL 33404

RBY, LLC
14785 PRESTON
DALLAS, TX 75254
CODE OFFICER: DARLENE HENRY

CODE SECTION: 105.1

PERMIT REQUIRED

CODE SECTION: 110.1

INSPECTION REQUIRED

CONT'D

10. **CASE ECC#-22-00086**
157 E 22ND ST
RIVIERA BEACH, FL 33404

RBY, LLC
14785 PRESTON
DALLAS, TX 75254
CODE OFFICER: DARLENE HENRY

CODE SECTION: 105.1

PERMIT REQUIRED

CODE SECTION: 110.1

INSPECTION REQUIRED

CONT'D

11. **CASE ECC#-22-00080**
156 E 22ND ST
RIVIERA BEACH, FL 33404

RBY, LLC
14785 PRESTON
DALLAS, TX 75254
CODE OFFICER: DARLENE HENRY

CODE SECTION: 31-579 (C)(1A)

PARKING NOT PERMITTED

----- **ERIC GRAHAM** -----

STIP 60/100

12. **CASE ECC#-24-00345**
3RD LOT W/O 1411 W 6TH ST
RIVIERA BEACH, FL 33404

ROBINSON GERNERAL
CONSTRUCTION
4826 NW 1ST ST
FORT LAUDERDALE, FL 33317
CODE OFFICER: ERIC GRAHAM

CODE SECTION: 22-34

CONSTRUCTION- NOT IN
COMPLIANCE

STIP 90/100

13. **CASE ECC#-24-00099**
3343 BROADWAY
RIVIERA BEACH, FL 33404

1ST CHOICE PROPERTY GROUP INC
1681 NW 11TH ST
BOCA RATON FL 33486
CODE OFFICER: ERIC GRAHAM

CODE SECTION: 31-570

DRIVEWAY

STIP 60/100

14. **CASE ECC#-23-01231**
632 W 3RD ST
RIVIERA BEACH, FL 33404

VACA REMBERTO & DE VACA
GLADYS S R
C/O 1460 NW 8TH AVE #205
MARGATE, FL 33063
CODE OFFICER: ERIC GRAHAM

CODE SECTION: 10-4

OCCUPATIONAL

CODE SECTION: SEC. 31-606(a)(10)

LANDSCAPE MAINTENANCE
(a) GERNERAL

COMPLIED - MUST REMAIN

15. **CASE ECC#-24-00434**
5950 N MILITARY TRL
WEST PALM BEACH FL, 33407

FLORIDA POWER & LIGHT CO
70 UNIVERSE BLVD
JUNO BEACH, FL 33408
CODE OFFICER: ERIC GRAHAM

CODE SECTION:302.1

SAFETY AND SANITATION

16. **CASE ECC#-24-00082**
3701 BROADWAY
RIVIERA BEACH, FL 33404

LEAF PROPERTIES INC
PO BOX 1124
HELN, GA 30545
CODE OFFICER: ERIC GRAHAM

CODE SECTION: 304.13

WINDOW, SKYLIGHT AND DOOR FRAMES

CODE SECTION: 304.2

PAINT

CODE SECTION: SEC. 31-551

PRINCIPAL ARTERIAL DESIGN STANDARDS
OVERLAY

CONT'D

17. **CASE ECC#-22-01682**
155 E BLUE HERON BLVD 100
RIVIERA BEACH, FL 33404

LOWERY HOLDINGS LLC
195 E. BLUE HERON BLVD
RIVERA BEACH, FL 33404
CODE OFFICER: ERIC GRAHAM

CODE SECTION: 31-58

GENERAL CLASSIFICATION

----- **MARCUS ALLEN** -----

18. **CASE ECC#-24-00318**
1071 W 26TH CT
RIVIERABEACH, FL 33404

EFREM HARELL
450 W 33RD ST
RIVIERA BEACH, FL 33404
CODE OFFICER: MARCUS ALLEN

CODE SECTION: 304.2

PAINT

CODE SECTION: 31-607

SWALE MAINTENANCE

CODE SECTION: SEC. 31-606(a)(10)

LANDSCAPE MAINTENANCE
(a) GENERAL

19. **CASE ECC#-24-00316**
2317 Z TER
RIVIERA BEACH, FL 33404

RICHARD CHARLES
2317 Z TER
RIVIERA BEACH, FL 33404
CODE OFFICER: MARCUS ALLEN

CODE SECTION: 31-579(C) (1A)

PARKING NOT PERMITTED

CODE SECTION:31-607

SWALE MAINTENANE

CODE SECTION: SEC. 31-606(a)(10)

LANDSCAPE MAINTENANCE
(a) GENERAL

COMPLIED - MUST REMAIN

20. **CASE ECC#-24-00328**
1256 W 33RD ST.
RIVIERA BEACH, FL 33404

LILLIE NAPIER
1397 SILVER BEACH RD
RIVIERA BEACH, FL 33404
CODE OFFICER: MARCUS ALLEN

CODE SECTION: SEC.31-606(a)(10)

LANDSCAPE MAINTENANCE
(a) GENERAL

STIP 60/100

21. **CASE ECC#-23-02161**
1496 W 32ND ST
RIVIERA BEACH, FL 33404

ARDA ALAN
829 SE 1ST WAY
DEERFIELD BEACH, FL 33441
CODE OFFICER: MARCUS ALLEN

CODE SECTION: 10-4

OCCUPATIONAL LICENSE

CODE SECTION: 31-607

SWALE MAINTENANCE

CODE SECTION: SEC. 11-10

SHRUBBERY AND OTHER
OBSTRUCTIONS

CODE SECTION: SEC. 31-606(a)(10)

LANDSCAPE MAINTENANCE
(a) GENERAL

STIP 90/100

22. **CASE ECC#-24-00315**
3020 AVENUE S
RIVIERA BEACH, FL 33404

CAROLYN BENNETT
3020 AVENUE S
RIVIERA BEACH, FL 33404
CODE OFFICER: MARCUS ALLEN

CODE SECTION: 305.1

GENERAL

COMPLIED - MUST REMAIN

23. **CASE ECC#24-00371**
1456 W 31ST ST
RIVIERA BEACH, FL 33404

CHRISTIAN EUGENE LEWIS DESSIE
708 SE BAHAMA AVE
STUART, FL 34994
CODE OFFICER: MARCUS ALLEN

CODE SECTION: 304.2

PAINT

CODE SECTION: 31-570

DRIVEWAY

CODE SECTION: SEC. 31-606(a)(10)

LANDSCAPE MAINTENANCE
(a) GERNERAL

STIP 60/50

24. **CASE ECC#23-02168**
3400 AVENUE T
RIVIERA BEACH, FL 33404

CLARA SIMMONS EST
3400 AVENUE T
RIVIERA BEACH, FL 33404
CODE OFFICER: MARCUS ALLEN

CODE SECTION:11-7

OVERGROWTH

CODE SECTION: 22-1

HOUSE NUMBERS

CODE SECTION: 302.8

MOTOR VEHICLES

CODE SECTION: SEC. 31-606(a)(10)

LANDSCAPE MAINTENANCE
(a) GERNERAL

STIP 60/50

25. **CASE ECC#-24-00127**
1142 W 26TH CT
RIVIERA BEACH, FL 33404

LEWIS LIZZIE L EST
1142 W 26TH CT
RIVIERA BEACH, FL 33404
CODE OFFICER: MARCUS ALLEN

CODE SECTION: 11- 7

OVERGROWTH

CODE SECTION: 302.1

SAFETY AND SANITATION

CODE SECTION: 304.2

PAINT

CODE SECTION: SEC.31-606(a)(10)

LANDSCAPE MAINTENANCE
(a) GERNERAL

----- JOHN JOHNSON -----

26. CASE ECC#-23-02206
1221 CLEVE H DIXON
RIVIERA BEACH, FL 33404

FYR SRE BORROWER LLC
P.O. BOX 4090
SCOTTSDALE, AZ 84120
CODE OFFICER: JOHN JOHNSON

CODE SECTION: 302.7

ACCESSORY STRUCTURES

ADJOURNMENT:

PURSUANT TO THE AMERICAN WITH DISABILITIES ACT, PERSONS IN NEED OF SPECIAL ACCOMODATIONS TO ATTEND THIS HEARING, PLEASE CONTACT THE OFFICE OF THE LEGISLATIVE AID OF THE CITY OF RIVIERA BEACH AT 600 WEST BLUE HERON BLVD., RIVIERA BEACH, FL 33404, (561) 845-4095 OR (561) 840-3350.